

# House File 334 - Introduced

HOUSE FILE 334

BY ROGERS

## A BILL FOR

1 An Act concerning the use of automated traffic enforcement  
2 systems on primary roads.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, Code 2013, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 95. "*Automated traffic enforcement system*"  
4 means a system that operates in conjunction with an official  
5 traffic-control signal, as described in section 321.257,  
6 to photographically record a vehicle being driven into an  
7 intersection in violation of the official traffic-control  
8 signal, and is designed to obtain a photograph of a vehicle's  
9 license plate. "*Automated traffic enforcement system*"  
10 also means a system that operates in conjunction with a  
11 speed-measuring device to photographically record a vehicle  
12 being driven at a prohibited rate of speed, and is designed to  
13 obtain a photograph of the vehicle's license plate.

14 Sec. 2. NEW SECTION. 321.240 Automated enforcement on  
15 primary roads.

16 1. *Definitions.* As used in this section:

17 a. "*Automated enforcement*" refers to the use of automated  
18 traffic enforcement systems for enforcement of laws regulating  
19 vehicular traffic.

20 b. "*High-crash location*" means a location with a greater  
21 than average frequency or higher than average rate of motor  
22 vehicle collisions, as identified using traffic safety data.

23 c. "*High-risk location*" means a location where the safety of  
24 law enforcement officers or other persons would be at a greater  
25 risk if conventional traffic enforcement methods were used  
26 instead of automated enforcement, as identified using traffic  
27 safety data.

28 2. *Mobile systems prohibited.* On or after July 1, 2013, a  
29 local authority shall not locate or operate a mobile automated  
30 traffic enforcement system on a primary road.

31 3. *Permit — justification reports.* On or after July  
32 1, 2013, a local authority shall obtain a permit from the  
33 department before installing a stationary automated traffic  
34 enforcement system on a road in the primary road system,  
35 including a municipal extension of a primary road. The

1 application for a permit shall be made to the district engineer  
2 of the department for the district in which the local authority  
3 is located in a manner determined by the department. The  
4 application shall include a justification report providing  
5 information relating to the proposed location for the  
6 installation of an automated traffic enforcement system and  
7 supporting evidence of the need for automated enforcement at  
8 the identified location.

9     *a.* To qualify for a permit for the use of automated  
10 enforcement on a primary road, an identified location must be a  
11 high-crash location or a high-risk location that is one or more  
12 of the following:

13     (1) An area where conventional enforcement is unsafe,  
14 ineffective, or unable to adequately address traffic safety  
15 needs.

16     (2) An area or intersection with a significant history of  
17 accidents which can be attributed to traffic-control signal  
18 violations or speeding.

19     (3) An intersection with a significant history of  
20 traffic-control signal violations.

21     (4) A school zone.

22     (5) A road work zone.

23     (6) A location where operational issues create significant  
24 problems and automated enforcement can help manage a more  
25 orderly flow of traffic.

26     *b.* A justification report shall contain supporting data  
27 used to identify the primary causes of traffic problems at a  
28 location and potential countermeasures. Supporting data shall  
29 include but not be limited to documentation of all of the  
30 following, as applicable:

31     (1) Existing traffic speeds.

32     (2) Posted speed limits near the location.

33     (3) Locations of speed limit signs.

34     (4) Traffic volume.

35     (5) Intersection geometry.

1 (6) The number and type of motor vehicle violations  
2 occurring at the location.

3 (7) Accident history for the location.

4 (8) Law enforcement measures already taken to address  
5 problems at the location.

6 (9) Public education efforts undertaken.

7 c. A justification report shall document what engineering  
8 and enforcement solutions have been implemented and why  
9 additional countermeasures should not be considered or would  
10 not be effective. The department shall not issue a permit  
11 for the use of automated enforcement at a location unless  
12 the department is satisfied that appropriate engineering and  
13 enforcement solutions have been explored and implemented.

14 d. A justification report shall document any discussions the  
15 local authority has had and any actions taken with partnering  
16 agencies that have resources to aid in the reduction of  
17 accidents at the identified location.

18 e. A justification report shall include certification from  
19 the local authority that the existing speed limits and the  
20 timing of traffic-control signals are appropriate and were  
21 established according to accepted standards.

22 4. *Requirements for use of automated enforcement on primary*  
23 *roads.*

24 a. A local authority that uses automated enforcement on a  
25 primary road shall employ all of the following communication  
26 strategies:

27 (1) Publish information identifying the location of each  
28 automated traffic enforcement system used on a primary road by  
29 the local authority. The information shall be published on a  
30 public internet site sponsored by the local authority, and the  
31 local authority shall communicate the location of the internet  
32 site to the public and the local news media.

33 (2) The local authority shall provide at least three weeks'  
34 notice to the public of a new location on a primary road where  
35 an automated traffic enforcement system will be installed prior

1 to installation. Such notice shall be provided on the local  
2 authority's internet site and by publication once each week  
3 for three successive weeks in an official newspaper of the  
4 county in which the automated traffic enforcement system will  
5 be located.

6 (3) Only warning citations shall be issued for violations  
7 detected by an automated traffic enforcement system on a  
8 primary road during the thirty-day period immediately after the  
9 automated traffic enforcement system becomes operational.

10 b. A local authority using automated enforcement shall  
11 provide the following signage, which shall be in accordance  
12 with the current manual on uniform traffic-control devices  
13 adopted by the department:

14 (1) Permanent signs shall be posted on all primary roads  
15 entering a municipality that uses automated enforcement on a  
16 primary road.

17 (2) Signs shall be posted in advance of each location on a  
18 primary road where an automated traffic enforcement system is  
19 in use.

20 5. *Annual evaluation.* A local authority that uses automated  
21 enforcement on primary roads shall annually evaluate the  
22 effectiveness of the automated traffic enforcement systems.  
23 The local authority shall submit a report to the department's  
24 office of traffic and safety on or before April 15 each year  
25 following a full calendar year of automated traffic enforcement  
26 system operation. The report shall be based on performance  
27 for the previous calendar year, and shall include but not be  
28 limited to the following:

29 a. Information addressing the impact of automated  
30 enforcement on reducing vehicle speed or the number of  
31 traffic-control signal violations at sites on primary roads  
32 monitored by automated traffic enforcement systems.

33 b. The number and types of collisions at sites on primary  
34 roads monitored by automated traffic enforcement systems,  
35 including comparison data for previous years. For automated

1 enforcement at intersections, only the monitored approaches are  
2 required to be included in the evaluation.

3 c. The total number of citations issued, fines assessed,  
4 fines collected, costs incurred by the local authority to  
5 operate and manage the automated traffic enforcement systems,  
6 and any fees paid to vendors.

7      6. *Continued monitoring by department.* The department shall  
8 use information collected from annual reports submitted by  
9 local authorities to evaluate the continued need for automated  
10 enforcement at each location identified in the reports. The  
11 department may require removal or modification of an automated  
12 traffic enforcement system at any location on a primary road  
13 if the department determines that continued use of automated  
14 enforcement at the location is no longer justified or that a  
15 local authority is not providing proper administration of the  
16 system.

17     7. *Administrative rules.* The department may adopt rules as  
18 necessary to implement this section.

### EXPLANATION

20 This bill provides for the regulation of the use of automated  
21 traffic enforcement systems on primary roads.

22       The bill defines "automated enforcement" as the use of  
23 automated traffic enforcement systems for enforcement of laws  
24 regulating vehicular traffic. "Automated traffic enforcement  
25 system" is defined as a system that operates in conjunction  
26 with an official traffic-control signal or speed-measuring  
27 device to photographically record a vehicle being driven into  
28 an intersection in violation of the official traffic-control  
29 signal or being driven at a prohibited rate of speed, and is  
30 designed to obtain a photograph of the vehicle's license plate.

31 The bill prohibits local authorities from locating or  
32 operating mobile automated traffic enforcement systems on  
33 primary roads on or after July 1, 2013.

34 The bill requires a local authority to obtain a permit from  
35 the department of transportation prior to installing a new

1 stationary automated traffic enforcement system on a primary  
2 road on or after July 1, 2013. The application shall be made  
3 to the department's district engineer, and shall include a  
4 justification report relating to the proposed location of the  
5 new system and supporting evidence of the need for automated  
6 enforcement at the proposed location. The bill specifies  
7 that permits will only be issued for high-crash or high-risk  
8 locations, as defined in the bill. In addition, a qualifying  
9 location must be an area where conventional enforcement is  
10 unsafe, ineffective, or unable to address traffic safety  
11 needs; an area with a significant history of accidents  
12 attributable to traffic-control signal violations or speeding;  
13 an intersection with a significant history of traffic-control  
14 signal violations; a school zone; a road work zone; or a  
15 location where operational issues create significant problems  
16 and automated enforcement can help manage a more orderly flow  
17 of traffic.

18 A justification report must also contain documentation of  
19 existing traffic speeds and traffic volume, posted speed limits  
20 and locations of signs, intersection geometry, number and type  
21 of motor vehicle violations occurring at the location, accident  
22 history for the location, law enforcement measures taken to  
23 address problems at the location, and public education efforts  
24 undertaken.

25 The bill provides that the department shall not issue a  
26 permit for automated enforcement at a location on a primary  
27 road unless the department is satisfied that appropriate  
28 engineering and enforcement solutions have been explored and  
29 implemented at the proposed location. The local authority  
30 filing a justification report shall certify that the existing  
31 speed limits and the timing of traffic-control signals are  
32 appropriate and established according to accepted standards.

33 The bill contains requirements for the use of automated  
34 traffic enforcement systems located on primary roads by  
35 local authorities. The requirements apply to the ongoing

1 use of existing systems as well as to new systems installed  
2 pursuant to a permit. A local authority is required to  
3 publish information identifying the location of each automated  
4 traffic enforcement system used on a primary road by the local  
5 authority on an internet site sponsored by the local authority;  
6 publish advance notice of each new primary road location where  
7 an automated traffic enforcement system will be installed; and  
8 issue only warning citations for violations detected during the  
9 first 30 days of operation of a new system on a primary road.

10 The bill requires a local authority to provide permanent  
11 signs on all primary roads entering a municipality that uses  
12 automated enforcement on a primary road and signs posted in  
13 advance of each location on a primary road where a fixed  
14 automated traffic enforcement system is in use. The signage  
15 must be in accordance with the current manual on uniform  
16 traffic control devices adopted by the department by rule.

17 The bill requires local authorities to annually evaluate  
18 the effectiveness of automated traffic enforcement systems  
19 used on primary roads and submit an annual performance report  
20 to the department. The department shall use information from  
21 the reports to evaluate the continued need for automated  
22 enforcement at locations identified in the reports. The  
23 department may require the removal or modification of an  
24 automated enforcement system at any location on a primary road  
25 if the department determines that continued use of automated  
26 enforcement at the location is no longer justified or that a  
27 local authority is not providing proper administration of the  
28 system.

29 The department may adopt rules to implement the provisions  
30 of the bill.